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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/887,878      | 06/21/2001  | Chng Huang Kiang     | 017002-019710US     | 8046             |

20350 7590 07/03/2003

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EXAMINER

CASTRO, ANGEL A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2653

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/887,878

Applicant(s)

KIANG ET AL.

Examiner

Angel A Castro

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracken et al (U.S. Pat. 4,583,213).

Regarding claims 1 and 10-11, Bracken et al discloses a system (figures 1-4) that prevents fragments of a disc from escaping from a drive, the system comprising:

a drive 10; and

a fragment barricade 32 affixed within the drive,

wherein the fragment barricade is positioned within the drive so as to prevent fragments of a disc from escaping from the drive (see figure 1).

Regarding claim 2, Bracken et al shows that the fragment barricade is fixedly mounted within the drive (figure 1).

Regarding claim 3, Bracken et al shows that the drive includes a top enclosure 24 and the fragment barricade 32 is mounted within the top enclosure.

Regarding claim 4, Bracken et al shows that the drive is a CD-ROM drive (column 4, lines 29-32).

Regarding claims 5-8, Bracken et al discloses that the fragment barricade 32 is formed from a metal (column 4, lines 19-22); that the fragment barricade is formed from a hard and flexible material (aluminum); and that the fragment barricade is an elongate member (see figure 3).

Regarding claim 9, it is inherent in the reference that fragment barricade 32 includes an attachment element (Bracken discloses that the fragment barricade is attached to the circular plate 24, column 4, line 1-2).

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shih (U.S. Pat. 6,512,729) discloses an optical disk drive protection device; Izumi et al (U.S. Pat. 6,487,038) discloses a recording disk drive; Guzik (U.S. Pat. 6,229,304) discloses an apparatus for air flow stabilization; Sasaki et al (U.S. Pat. 5,940,245) discloses a door opening and closing mechanism of recording/reproducing apparatus; Yamamoto et al (U.S. Pat. 5,701,216) discloses a shutter mechanism for disk drive; Iida et al (U.S. Pat. 4,660,110) discloses a magnetic disk storage device with shroud enclosing disk assembly.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel A Castro whose telephone number is 703-308-8435. The examiner can normally be reached on Monday through Thursday, 8 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R Korzuch can be reached on 703-305-6137. The fax phone numbers for

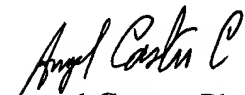
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the organization where this application or proceeding is assigned are 703-746-6037 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

  
Angel Castro, Ph.D.  
June 29, 2003